

Oct. 7, 2009



# SNIPS

## EPA Announces Guidance on PCBs in Caulk in Buildings

The U.S. Environmental Protection Agency (EPA) announced a series of steps that building owners and school administrators should take to reduce exposure to PCBs that may be found in caulk in many buildings constructed or renovated between 1950 and 1978.

Polychlorinated biphenyls, or PCBs, are manmade chemicals that persist in the environment and were widely used in construction materials and electrical products prior to 1978. PCBs can affect the immune system, reproductive system, nervous system and endocrine system and are potentially cancer-causing if they build up in the body over long periods of time.

To access the EPA Web site containing updated information on this issue, go to <http://www.epa.gov/pcbbsincaulk>. Information and technical guidance are also available from the EPA by calling the hotline toll free at 1-888-835-5372. For more information on PCBs in the U.S., go to <http://www.cdc.gov/nceh> or <http://www.cdc.gov/atsdr>.

## Online Tool Tracks Carbon- and Energy-Saving Measures by State

The New America's Foundation's climate policy team has created an online tool to allow state-by-state tracking of hundreds of carbon- and energy-saving measures now being implemented across the country. [The State Climate Policy Tracker](#) is a seven-column matrix that captures the climate actions taking place across six economic sectors and reports on the progress of each measure, its cost or cost-saving potential and the estimated reduction in carbon emissions expected on an annual basis.

## EPA Releases List of Priority

### DCA Programs



Are you doing great things for the environment? Do you participate in voluntary environmental events? Does your workplace go above and beyond regulatory requirements? If you answered yes, then [KY EXCEL](#) is a program for you. [KY EXCEL](#) is a voluntary environmental leadership program where you can meet and interact with Kentucky's environmental leaders.



The [Operator Certification Program](#) trains and certifies wastewater and drinking water system operators to ensure that these environmental professionals are qualified and prepared to properly treat and protect Kentucky's water resources.



*The Kentucky Brownfield Program  
Recycling the Commonwealth*

The [Brownfields Program](#) helps communities and property owners identify meaningful solutions that encourage the cleanup and redevelopment of underused,

## Drinking Water Contaminants for Regulatory Consideration

The EPA released its third list of drinking water contaminants that are known or anticipated to occur in public water systems and may require regulation. The contaminant candidate list includes 104 chemical contaminants or groups and 12 microbes. For more information on the contaminant candidate list, visit <http://www.epa.gov/safewater/ccl>.

## EPA Reviewing Current Report on Carcinogens for Toxics Release Inventory

The EPA is reviewing the 11th edition of the National Toxicology Program (NTP)'s Report on Carcinogens (RoC), which classifies chemicals as either "known to be a human carcinogen" or "reasonably anticipated to be a human carcinogen" to identify those chemicals that are not currently on the Toxics Release Inventory (TRI) list and that have not previously been reviewed for listing. The RoC is a congressionally mandated scientific and public health document that provides data on carcinogenicity, genotoxicity and biologic mechanisms. The EPA will propose to add to the TRI list those NTP carcinogens that have sufficient production or use levels such that the agency expects that TRI reports will be filed. For more information, go to <http://www.epa.gov/lawsregs/search/ail.html#aug09>.

## Reconsideration of Interpretation of Regulations That Determine Pollutants Covered by the Federal PSD Permit Program

The EPA is reconsidering its interpretation of regulations that determine pollutants covered by the federal PSD Permit Program, specifically the EPA's interpretation of the regulatory phrase "subject to regulation" as it applies to the program. At issue is a Dec. 18, 2008 memorandum that specified that a pollutant is only "subject to regulation" when its emissions are actually controlled or limited under a provision of the Clean Air Act (CAA) or a final EPA rule issued under the authority of the CAA. Following issuance of the memo, the EPA received a petition for reconsideration from the Sierra Club and several other organizations. On Feb. 17, 2009, the administrator granted reconsideration on the memorandum in order to allow for public comment on the issues raised in the memo and in a related decision of the Environmental Appeals Board. The EPA will proceed with a reconsideration proceeding and conduct rulemaking regarding the proper interpretation of this regulatory phrase. See <http://www.epa.gov/lawsregs/search/ail.html#aug09> for more information.

contaminated properties.



Environmental laws can often be confusing and challenging. The [Environmental Compliance Assistance Program](#) helps regulated entities understand and comply with environmental obligations, advocates for entities underrepresented in the regulatory process and facilitates moving "beyond" compliance to environmental leadership.

## EPA to Propose Revisions to 2008 Lead Renovation, Repair and Painting Program

The EPA intends to propose several revisions to three separate areas of the 2008 Lead Renovation, Repair and Painting Program (RRP) rule that established accreditation, training, certification and recordkeeping requirements, as well as work practice standards on persons performing renovations for compensation in most pre-1978 housing and child-occupied facilities. This particular action will involve proposing amendments to the opt-out provision that currently exempts a renovator from the training and work practice requirements of the rule where he or she obtains a certification from the owner of a residence he or she occupies that no child under age 6 or pregnant women reside in the home and the home is not a child-occupied facility.

Other potential revisions concern Section 402(c)(3) of the Toxic Substances Control Act (TSCA), which requires the EPA to regulate renovation or remodeling activities in target housing (most pre-1978 housing), pre-1978 public buildings and commercial buildings that create lead-based paint hazards. On April 22, 2008, the EPA issued a final rule to address lead-based paint hazards created by these activities.

In other proposed revisions to the RRP rule, the EPA is particularly concerned about dust lead hazards generated by renovations because children, especially younger children, are at risk for high exposures of lead-based paint dust via hand-to-mouth exposure. For this particular action, the EPA will consider whether to establish additional requirements to ensure that renovation work areas are adequately cleaned after renovation work is finished and before the areas are reoccupied. These additional requirements may include dust wipe testing after renovations and ensuring that renovation work areas meet clearance standards before reoccupancy.

For more information on proposed revisions in any of these areas of the rule, see

<http://www.epa.gov/lawsregs/search/ail.html#aug09>.

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This message has been sent to past DCA clients and to individuals that have notified the division that they would like to receive information related to environmental compliance or environmental leadership. If you would like to be removed from this distribution list, please reply to this e-mail and we will promptly honor your request.

Compiled by Kenya Stump. For submittals, please send information to [envhelp@ky.gov](mailto:envhelp@ky.gov) with the subject line of "SNIPS Submittal Information."

